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ENT BY: RANDALL J. KNUTH, P.C.

260 486 2794;

APR-8 17:01;



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re of Applicant )  
Shojiro KAWAKAMI et al. ) Art Group: 1753  
Serial No.: 09/402,112 )  
Filing Date: September 29, 1999 )  
Accepted: February 18, 2000 ) Examiner: S. VERSTEEG  
Title: THREE-DIMENSIONAL )  
PERIODIC STRUCTURE, ITS )  
FABRICATION METHOD, AND )  
METHOD OF FABRICATION )  
FILM )

Hon. Commissioner for Patents  
Box: After Final  
Washington, D.C. 20231

Dear Sir:

I declare that I am fluent in both Japanese and English and can accurately translate documents from the English language to the Japanese language and from the Japanese language to the English language.

I declare that each and every one of the following elements are described in Japanese Patent Application No. 9/114951:

A three-dimensional periodic structure and a method of fabricating a three-dimensional periodic structure by sequentially and periodically forming at least two kinds of layers including a layer mainly comprising SiO<sub>2</sub> and a layer mainly comprising Si on a substrate having two-dimensionally periodically recessed or projecting portions and by carrying out sputter etching and sputter deposition alternatively or simultaneously at least in a part of the forming, while keeping a pattern of the recessed or projecting portions.

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The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the Application or any registration resulting therefrom; that the facts set forth in this declaration are true; and that all statements are made of my own knowledge are true and all statements made on information and belief are believed to be true.

Executed on 9th of April, 2002.

Satoshi Hoshikoshi

Name of Translator

Satoshi Hoshikoshi

Signature of Translator

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